

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANGEL HURTADO,

Plaintiff,

v.

SYLVAN,

Defendant.

Case No. 2:21-cv-00888-JDP (PC)

ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED
FOR FAILURE TO COMPLY WITH COURT
ORDERS

ECF No. 17

On February 1, 2023, I issued an order setting an initial scheduling conference for March 9, 2023, and directing the parties to file status reports by no later than February 23, 2023. ECF No. 17. Defendant timely submitted a status report. Plaintiff, however, failed to file his own status report.

To manage its docket effectively, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 I will give plaintiff the opportunity to explain why sanctions should not be imposed for
2 failure to file a status report. Plaintiff's failure to respond to this order will constitute another
3 failure to comply with a court order and will result in a recommendation that this action be
4 dismissed. Should plaintiff wish to continue with this lawsuit, he shall also file a status report as
5 required by the court's February 1, 2023 order.

6 Accordingly, it is hereby ORDERED that:

7 1. The initial scheduling conference currently set for March 9, 2023, is continued to April
8 13, 2023.

9 2. By no later than March 30, 2023, plaintiff shall file a status report in accordance with
10 the court's February 1, 2023 order. *See* ECF No. 17.

11 3. Plaintiff shall show cause, by no later than March 30, 2023, why sanctions should not
12 be imposed for failure to comply with the court's February 1, 2023 order.

13 4. Failure to comply with this order may result in the imposition of sanctions, including a
14 recommendation that this action be dismissed for lack of prosecution and for failure to comply
15 with court orders.

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17 IT IS SO ORDERED.

18 Dated: March 7, 2023

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20 JEREMY D. PETERSON
21 UNITED STATES MAGISTRATE JUDGE
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